



5-3-06

JFC #

PATENT

practitioner's Docket No. 2004-2156.CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark A. Flannery
Serial No.: 10/820,358
Filed: April 7, 2004
For: Mattress Hugging Bed Rail
Examiner: SANTOS, Robert G.
Group No.: 3673
Confirmation No.: 8169

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate Of Mailing Via Express Mail

Sir:

I hereby certify that the following papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on May 1, 2006 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, under Express Mail Post Office to Addressee Label No. EQ-258-804-435-US:

1. This Certificate of Mailing via Express Mail dated May 1, 2006 (one page);
2. Authorization To Charge To Deposit Account For Information Disclosure Statement dated May 1, 2006 (one page plus duplicate);
3. Information Disclosure Statement dated May 1, 2006 (two pages);
4. PTO-1449 forms (two sheets);
5. The references listed on the PTO-1449 forms; and
6. Postcard Receipt.

Respectfully submitted,

Date: May 1, 2006

Robert J. Jacobson
Reg. No. 32,419Tel. No.: (651) 699-7900
Fax. No.: (651) 699-7901650 Brimhall Street South
St. Paul, MN 55116-1511



Practitioner's Docket No. 2004-2156.CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark A. Flannery
Serial No.: 10/820,358
Filed: April 7, 2004
For: Mattress Hugging Bed Rail
Examiner: SANTOS, Robert G.
Group No.: 3673
Confirmation No.: 8169

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

**Authorization To Charge To Deposit Account
For Information Disclosure Statement**

An Information Disclosure Statement is included in this filing.

The Director is hereby authorized to charge the Information Disclosure Statement Fee of \$180.00 required under 37 CFR 1.17(p) to Deposit Account Number 50-3288 of the undersigned. I have enclosed a duplicate copy of this sheet.

Respectfully submitted,

Date: May 1, 2006



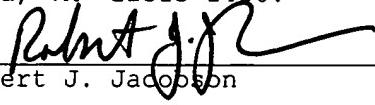
Robert J. Jacobson
Reg. No. 32,419

Tel. No.: (651) 699-7900
Fax. No.: (651) 699-7901

650 Brimhall Street South
St. Paul, MN 55116-1511

{18811.DOC}

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date May 1, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Number EQ-258-804-435-US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Robert J. Jacobson



Practitioner's Docket No. 2004-2156.CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mark A. Flannery
Serial No.: 10/820,358
Filed: April 7, 2004
For: Mattress Hugging Bed Rail
Examiner: SANTOS, Robert G.
Group No.: 3673
Confirmation No.: 8169

**Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Information Disclosure Statement

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant hereby submits the reference(s) listed on the attached Form(s) 1449 (or equivalent) such that said reference(s) may be considered and made of record. A copy of each of the cited reference(s) is enclosed. No representation is made that any of the listed reference(s) is prior art pursuant to 35 U.S.C. § 102 and/or 35 U.S.C. § 103.

This Information Disclosure Statement is being filed in accordance with the following provision(s):

37 CFR 1.97(c) An information disclosure statement shall be considered by the Office if filed by the applicant after the period specified in paragraph (b) of this section, provided that the information disclosure statement is filed before the mailing date of any of a final action under §

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date May 1, 2006 in an envelope as "Express Mail Post Office to Addressee" Mailing Number EQ-258-804-435-US addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Robert J. Jacobson, Reg. No. 32,419

05/05/2006 BABRAHA1 00000075 503288 10820358
01 FC:1806 180.00 DA

(Information Disclosure Statement—page 1 of 2)

1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and it is accompanied by one of: (1) The statement specified in paragraph (e) of this section; or (2) The fee set forth in § 1.17(p).

This information disclosure statement is accompanied by the fee (\$180) set forth in § 1.17(p).

The references listed on the attached PTO-1449 forms were disclosed to applicant with 1) the Office Action of April 4, 2006 of U.S. Patent Application Number 11/157,723, and 2) the Office Action of February 2, 2005 of U.S. Patent Application Number 11/243,899.

Respectfully submitted,

Date: May 1, 2006



Robert J. Jacobson
Reg. No. 32,419

Tel. No.: (651) 699-7900
Fax. No.: (651) 699-7901

650 Brimhall Street South
St. Paul, MN 55116-1511



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				<i>Complete if Known</i>	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/820,358
				Filing Date	April 7, 2004
				First Named Inventor	Mark A. FLANNERY
				Art Unit	3673
				Examiner Name	Robert G. SANTOS
Sheet	one	of	two	Attorney Docket Number	2004-2156.CIP

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number			
		US- 7,013,508 B2	03-21-2006	Wu	
		US- 2006/0037140 A1	02-23-2006	Clute	
		US- 2006/0026759 A1	02-09-2006	Flannery et al.	
		US- 6,990,697 B1	01-31-2006	Clute	
		US- 2005/0262632 A1	12-01-2005	Wu	
		US- 2005/0246837 A1	11-10-2005	Macari et al.	
		US- 6,959,463 B2	11-01-2005	Macari	
		US- 2005/0235419 A1	10-27-2005	Macari	
		US- 2005/0229309 A1	10-20-2005	Nygren et al.	
		US- 2005/0198734 A1	09-15-2005	Macari	
		US- 6,934,981 B2	08-30-2005	Waldman et al.	
		US- 6,931,677 B2	08-23-2005	Tharalson et al.	
		US- 6,877,173 B2	04-12-2005	Tharalson et al.	
		US- 6,862,757 B2	03-08-2005	Andriunas et al.	
		US- 2005/0034232 A1	02-17-2005	Martin	
		US- 2004/0181873 A1	09-23-2004	Waldman et al.	
		US- 6,704,949 B2	03-16-2004	Waldman et al.	
		US- 2003/0196264 A1	10-23-2003	Tharalson et al.	
		US- 2003/0177574 A1	09-25-2003	Waldman	
		US- 2003/0126681 A1	07-10-2003	Tharalson et al.	

FOREIGN PATENT DOCUMENTS

**Examiner
Signature** _____ **Date
Considered** _____

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Application Number	10/820,358
				Filing Date	April 7, 2004
				First Named Inventor	Mark A. FLANNERY
				Art Unit	3673
				Examiner Name	Robert G. SANTOS
Sheet	two	of	two	Attorney Docket Number	2004-2156.CIP

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.